



Town of Ludlow Select Board USE OF OPEN SPACES POLICY

EFFECTIVE : July 22, 2025

Introduction:

Thank you for considering the Town of Ludlow for your event! The Town of Ludlow recognizes that municipal buildings and properties have been created by, and are supported by the citizens of Ludlow, and that the Select Board supports the use of the Town facilities by individuals, groups, and associations for educational, cultural, civic, and recreational activities. It is the goal of the Town of Ludlow to work with event managers and organizers to help ensure that the events taking place in our community are both safe and successful, while minimizing the impact on our residents and businesses. Completing this form is the first step in your application process and does not confirm your date or signify any intention by the Town to approve this application.

Policy, Rules and Regulations:

Individuals, groups and associations involved in educational, cultural, civic, and/or recreational activities may be permitted use of town-owned Open Spaces on a space-available basis provided use does not interfere with Town operations and the application is otherwise approved by the Select Board. Town department activities and official Town committees will always have priority regarding the use of these spaces. Granting of permission to use an Open Space should not be construed as an endorsement of any individual or group. No applicant should, in any of its publicity, state or suggest that the Select Board, the Town of Ludlow, or its officials, employees, and agents sponsors or endorses the activity, the applicant, or any set of ideas.

Applications may be obtained in person from the Select Board's Office located at Ludlow Town Hall (488 Chapin Street) or via the town website at www.ludlow.ma.us. Permission to use an open space will be reviewed by the Select Board or their designee upon

completion of the appropriate application and use form (*attached*). All applications must be in writing and submitted to the Select Board's Office not less than ninety days (90) and not longer than twelve months in advance of the proposed use time.

All components of the event are subject to approval by the Select Board and may also require approval by and/or permit(s) from other Town agencies, departments, or boards. It is the responsibility of the applicant to secure all necessary Town of Ludlow permits and submit payments required for permits. If you are scheduling a large and/or complicated event, you may be required to obtain approval from several Town departments (Building, Health, Recreation, Police, Fire) as well as one-day alcohol and/or entertainment licensing. You will be notified as to which approvals are necessary depending on the size/scope of your event.

The authorized participant is required to demonstrate that adequate provisions have been made for security, parking, insurance, set-up, maintenance and cleanup, emergency services, and safety of operations.

The Town assumes no liability for injury to persons authorized to use an Open Space and further assumes no liability for loss or damage to equipment, materials, or other individual property. Groups using the facility will need to sign a release of liability (*attached*).

Each applicant must supply a certificate of insurance, from an insurer licensed to do business in Massachusetts, in an amount not less than \$1 million, naming the Town of Ludlow as an additional insured, and covering damage to the park(s), its grounds, and its contents, and liability for injury to people occasioned to use the park. Such certificate must show that the insurance it offers is not cancelable except on at least ten (10) days' written notice to the Select Board.

The Town reserves the right to cancel any use within fourteen calendar days' notice. In addition, cancellation may occur without advance notice due to inclement weather conditions or emergency situations.

Those using an Open Space shall be responsible for controlling the behavior of persons entering the Park or attending the function, by assuring the following:

- a. The responsible person in charge of the function or event shall always be present. The person responsible shall remain until everyone else has left the premises.
- b. Children must be always supervised. One responsible adult should always be in charge and present for every ten (10) children.
- c. Gambling in any form is prohibited per Massachusetts State Law.
- d. Alcohol is allowed only in designated areas and requires a liquor license from the Select Board.

Those using an Open Space should protect it from damage by assuring the following:

- a. Use must be limited to the specific area granted/approved.
- b. No equipment, furnishing or fixtures are to be used, moved, altered, adapted, or adjusted without permission. A written layout (using a current google image) of the desired setup of tables, chairs and/or facilities shall be provided with this application and are subject to the approval of the Town Administrator, Health Department, Department of Public Works, Fire Department and Police Department.
- c. Restitution for any vandalism or accidental damage to the facility or equipment will be the responsibility of the organization using an Open Space.
- d. Nothing shall be pinned, taped, or fastened, painted or drawn to the walls, curtains, or floors, etc. and the Open Space shall not be altered, temporarily or permanently in any such way.
- e. The Open Space must be left in a clean and orderly condition. The users of the Open Space shall be responsible for cleaning up. The Open Space must be returned to the state of cleanliness and order prior to its use for the event.
- f. The use of the Open Space is confined to the area or facilities stipulated in the application. All access to other areas of the building is strictly prohibited. Users of Veteran's Memorial Park ("Gazebo Park") must stay at least 20 feet away from the Veteran's Memorial, which fronts on East Street.
- g. Any and all costs associated with police/fire details or presence must be paid by the applicant. The need and scope of police/fire details shall rest in the sole uncontestable discretion of the Police and Fire Departments.
- h. Applicants that are not Ludlow-based (e.g., do not have a Ludlow address or place of business) are required to submit a \$1,000 deposit that will be returned to the applicant after an inspection of the used open space and confirmation by the town that all applicable requirements of this policy have been adhered to.

Failure to comply with any conditions of use will render the applicant liable to the Town of Ludlow for the cost of repair and/or clean up and may result in additional charges and/or forfeiture of future bookings.

The Town of Ludlow reserves the right to deny requests due to prior disrespect of facilities, property, equipment, personnel and/or rules and regulations, including exceeding the scope of the previously approved use.

Applicability:

This policy is only applicable to the use of town-owned open spaces by applicants or groups who are not legally affiliated with the Town of Ludlow. The monument area of Memorial Park, which honors Ludlow residents who served our country, may not be used by anyone except town officials. The private use of Town buildings and any and all meeting spaces, and/or offices within or upon the Town property is strictly prohibited, except otherwise specified in writing elsewhere. This policy shall not apply to or alter any other existing policies for the private use of other Town of Ludlow property and/or facilities not in the care, custody and control of the Select Board; for example, this policy does not apply to the Public Schools or its properties.

Department Contact Information:

Police Department: [name]—413-583-8305

Fire Department: Chief Ryan Pease—413-583-8332

Health Department: Paulina Matusik, Health Director—413-583-5600 ext. 6

Department of Public Works: Jamie Tomas, Director—413-583-5625 ext. 1401

Recreation Department: [name]—413-583-8856

Select Board's Office: Marc Strange, Town Administrator—413-583-5600 ext. 0

APPLICATION FOR USE OF TOWN OPEN SPACES AND WAIVER OF LIABILITY AGREEMENT

Event Summary

Event Title: _____

Description: _____

Event Location:

☐ Veteran's Memorial Park ("Gazebo Park")—11 East Street

☐ Post Office Park—Chestnut/Winsor/Sewall Streets

☐ Whitney Park—167 Howard Street

☐ The Riverwalk—Riverside Drive

☐ West Street Park—84 West Street

☐ Camp White—Munsing Street

☐ Electric Park—13 Watt Ave

☐ Other _____

	Day of the Week	Date	Time
Set up Starts			
Event Starts			
Event Ends			
Dismantle Ends			

Anticipated number of attendees? _____

Is this an annual event? _____

Note: Most park areas cannot be reserved for the exclusive use of the groups, and access to the area by the general public must be available at all times. This means that areas cannot be roped off or otherwise secured.

Site Plan & Route Map

To ensure appropriate review of your event, it is preferred that you submit one or more of the following: Blueprints or computer assisted drawings of your event site plan or a hand drawing of your site plan. Be sure to include the placement of receptacles (bins, dumpsters) for both trash and recycling in your plan/map.

Temporary structures, including stages built by private parties, shall conform to all applicable building codes and other Town regulations, and the Authorized User shall obtain any required building permits from the Building Department (413) 583-5600 ext. 1214 and Fire Department (413) 583-8332 ext. 2310. If a tent is erected, the Building/Fire Department shall complete a safety inspection prior to the event. The Health Department must be contacted for safe food handling and Food Permit at (413) 583-5600 ext. 1271.

Your event site plan/route map should be submitted and include but not limited to:

- An overview of the event venue, including the names of all streets or areas that are part of the surrounding area. If the event involved a moving route of any kind, indicate the direction of the travel and all street or lane closures.
- The provision of minimum twenty-foot (20') emergency access lanes throughout the event venue.
- The location of first aid facilities.
- The placement of dumpsters and/or trash & recycling bins
- The location of all stages, bleachers, grandstands, canopies, tents, portable toilets, booths, cooking areas, trash containers and dumpsters, and other temporary structures.
- A detail of the food booth(s) and cooking area(s), including identification of all vendors cooking with flammable gases or barbecue grills.
- Locations of generator(s) and/or source of electricity.
- Placement of vehicles and/or trailers.
- Exit locations for outdoor events that are fenced and/or locations within tents and tent structures.
- Identification of all handicapped accessible areas that meet 521 CMR Architectural

Access Board (ADA) Standards.

- Other event components not listed above. Please describe:

Contacts/Organization Information

This section will allow the Town Departments and agencies that have an interest in your event, to contact the appropriate individuals for any further information regarding your event. It will enable the Town to ensure all your needs are met, and that the interest of the Town's venue(s) are considered. Please feel free to write-in or attach any further information that you feel would be important in this matter.

Applicants' Name	Phone/Cell	Email (<i>Required</i>)
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Organization Name	Street Address	City, State	Zip
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Web Address	Organization Phone	Email
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Emergency Contacts:

In case of an emergency during the event, a person must be available to be contacted during the hours of the event. Please identify:

Name	Cell Phone	Other Phone
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Name	Cell Phone	Other Phone
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Organization Status

TAX EXEMPT, NON-PROFIT: This refers to an organization that has been recognized as tax exempt by the Internal Revenue Service at least six (6) months prior to your event date and is in good standing with the IRS. If you are a bona fide tax exempt, non-profit organization, a copy of your current tax exemption letter is required.

1. Is the Authorized user a commercial entity: ☐ Yes ☐ No

2. Is the Authorized User a bona fide tax exempt, non-profit entity? ☐ Yes ☐ No

If yes, you must attach to this application a copy of your IRS tax exemption letter providing proof and certifying your current tax-exempt status.

3. Are fees for admission, entry or participation required? ☐ Yes ☐ No

If yes, please provide an amount. _____

4. Are fees for vendor or other required?

☐ Yes ☐ No

Attach a copy of the most recent financial statement for this event.

Security Plan

Have you made arrangements for security? ☐ Yes ☐ No If yes, check all that apply:

☐ Town of Ludlow Police Department

☐ Licensed Professional Security Company**

☐ Other* Please describe: _____

*Certain activities require heightened security. The type of security will be determined by local, state and or federal officials.

**If using licensed Security Company, please complete the following:

Company

Phone

Street

City

State

Zip

Private Operating License #

Licensed Professional Security Company shall provide the Town with an insurance certificate naming the Town of Ludlow as "Additional Insured." A copy of such must be submitted no later than 14 days prior to the event date.

Medical Services/Safety Plan

EMS Plan

Due to the vast number of different types of events, along with the anticipated crowd sizes, any Authorized User shall contact the Town of Ludlow Fire Department at (413) 583-8332 ext. 2310 to determine the adequate resources needed for your event.

Fire Safety Plan

The Fire Department shall be contacted in advance for any event that will include, tents, bonfires, propane tanks, fireworks displays, temporary structures, and any open flames. but not limited to the items listed above. Permits are not transferable, and any change in use, operation or tenancy shall require a new permit.

527 CMR 1:04: The Chief of the Fire Department or their designee may revoke a permit or approval issued under the provisions of 527 CMR, if there is any violation of the Fire Code, or there have been any false statements or misrepresentations. Certain special events may require a fire watch detail. A Fire Inspector shall inspect the site of the event and determine the need for a fire watch detail. Please contact the Fire Department for guidelines and associated costs for fire watch details.

- The Fire Department requires that the permit applications be filed at the Fire Department.
- Any inspection that is conducted after hours would require overtime for the inspector.
- Fireworks displays require a Fire Inspector and Police Officer to be present from the time that the fireworks arrive in the town until the end of the fireworks show.
- The fireworks permit is required to be submitted to the Fire Department at least 20 days before the date of the show. 527 CMR 1.00 1.12.8.39.2.2(1)

Accessibility Plan

1. Will there be a clear path of travel throughout your event venue? ☐ Yes ☐ No

If no, please explain: _____

2. Have you developed a Disabled Parking and/or Transportation plan (including use of public transportation or shuttle services) for your event?

☐ Yes ☐ No

If no, please explain: _____

3. Will there be accessible rest rooms at your event? ☐ Yes ☐ No

If no, please explain: _____

4. Will all food, beverage and vending areas be accessible? ☐ Yes ☐ No

If no, please explain: _____

Entertainment and Related Activities

- Will you be erecting and using any tents or other temporary facility? ☐ Yes ☐ No
- Will sound checks be conducted prior to the event? ☐ Yes ☐ No

When? _____

- Will sound amplification be used? Start date/time: _____

End date/time: _____

- Will there be fireworks? ☐ Yes ☐ No Fireworks require a Fire Detail and Police Officer to be present from the time the fireworks arrive in the Town until the end of the show. They will also require the erection of crowd control fencing.
- Will inflatable items, Hot air balloons or similar devices be used? ☐ Yes ☐ No
- If yes, please explain:

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- Do your event plans include any casino games, bingo games, drawings or lottery opportunities?

☐ Yes ☐ No

- If yes, please explain:

Amusement Rides

Will you have amusement rides? ☐ Yes ☐ No If yes, please answer the following:

Number of rides: _____

Dates of operation: _____

Amusement Vendor (name, address,
phone#): _____

License #: _____

Amusement/Carnival Vendor shall carry liability insurance naming the Town of Ludlow as "Additional Insured." A copy of such must be submitted not later than 14 days prior to the event date. Include safe ride operator certificate with application. Vendor must coordinate with Local and State Inspectors for ride compliance.

Restrooms

Have you determined any facilities in the immediate area of your event which will be available to the public during the entire event? ☐ Yes ☐ No

If yes, please explain where they are located and how you have determined their availability during the entire event.

- Are the restrooms owned by the Town of Ludlow? ☐ Yes ☐ No
- Are you providing portable restrooms? ☐ Yes ☐ No
- How many portable restrooms? _____

Name of Portable Restroom Company _____

Address: _____

Phone# _____

Name of Contact person: _____

Set up time: _____ Pick up time: _____

Alcohol

Will there be any alcoholic beverages at your event? ☐ Yes ☐ No If yes, please check all that apply:

- | | | |
|--|---|-------------------------------|
| <input type="checkbox"/> Free/host alcohol | <input type="checkbox"/> Alcohol sales | <input type="checkbox"/> Beer |
| <input type="checkbox"/> Beer & Wine | <input type="checkbox"/> Beer, Wine & Distilled Spirits | |

Will there be a licensed bartender/caterer to serve the alcoholic beverages? ☐ Yes ☐ No

If yes, please provide company name, address,
phone: _____

Liquor Liability License#: _____

Please explain your plan to ensure the safe sale or distribution of alcohol at your event:

- Will you be using wristbands? ☐ Yes ☐ No
- Will you be supplying police detail? ☐ Yes ☐ No
- Who will be responsible for checking I.D.'s? _____
- Who will be responsible for making sure alcohol does not leave restricted areas?

○ Has anyone who will be serving or dispensing alcohol received TIPS certification or any other type of alcohol intervention training? ☐ Yes ☐ No

If yes, please provide their names(s) along with evidence of their certification:

Servers must be certified as trained in alcohol service safety such as “TIPS”, “ServeSafe”, or other alcohol service safety program. Proof of certification required.

Waste Management

It is the responsibility of the Authorized User to ensure that all waste is properly disposed of during and after the term of the event. For multiple day events, all trash barrels must be emptied and waste removed from the site as needed and at the end of the day.

If the area is not properly cleaned, or if there is any damage to town property as a result of your event, you will be billed for the full cost of recovery, which will include rates for cleanup and repair. Further, failure to properly clean may result in disapproval of any future requests for a Use of Open Space, or may require a cash deposit and/or surety bond.

- **You are required to supply your own trash barrels**
- If the Town of Ludlow is supplying your trash barrels, you must supply your own plastic linings for the trash barrels. Call the Department of Public Works to coordinate.
- Should the proper disposal of waste at your event require a dumpster, the Authorized User is responsible to supply such item(s) at its own cost.
- Number of dumpsters: _____
- If cooking on site you must arrange for proper disposal of cooking oil.

Food Concession or Preparation

You may be required to apply for a health permit if food or beverages are sold or given away during your special event.

The Health Department will determine if your event requires a food permit. If a licensed caterer will be serving food at the event the caterer must submit a copy of its food license to the Town's Health Department, along with a copy of the menu and a notification form. Also, in the Commonwealth of Massachusetts a certified food protection manager certification and allergen certification is required. Guidelines for food facilities are provided by the Town of Ludlow's Board of Health. These guidelines should assist you in planning for food handling, preparation and serving in the most responsible and legal matter. Any questions, please contact the Health Department at 413-583-5600 ext. 1271.

1. Does your event include food concession and/or preparation areas? ☐ Yes ☐ No
Please describe how food will be served and or prepared:

2. Will there be food vendors on site?
☐ Yes ☐ No If yes, how many? _____

3. Do you intend to cook food in the event area? ☐ Yes ☐ No

If yes, specify the method (i.e. gas, electric, charcoal, etc.) Use of propane requires contact with the fire department.

4. Will you and/or the food concession vendor provide a sink to be used in the proper preparation of food? ☐ Yes ☐ No

If yes, will you be supplying your own licensed plumbers and electricians to set up and connect the sinks? ☐ Yes ☐ No

Food Vendor Name _____ Phone# _____

Address _____

If more than one vendor, include a list of vendors with their address & phone number.

Applicant's Affidavit & Waiver of Liability Agreement

By signing this application, the person whose signature appears below signifies that he/she is personally, financially responsible for their group, will see that the facilities and equipment are not misused, that groups have proper adult supervision, that properties are used in conformity with policies established by the Town, and that any damages and/or loss whatsoever as a result of the group's use of properties will be compensated in full by the responsible person, upon demand.

It is hereby understood by the responsible person signing this application that any Town activities have absolute priority for use of any portion of the Open Space, even if an outside group (e.g., the applicant) has requested the use of a portion of the Open Space. Any Town activity whatsoever that may be subsequently scheduled shall have absolute priority for use of the Open Space.

The Town disclaims liability for loss or damage to personal property or personal injury, and the applicant individually and on behalf of each member of his/her group agrees to release and hold harmless the Town, its officials and employees and not to sue any of the same for any such liability or loss.

The applicant agrees to: abide by all of the policies of the Town and laws of the Commonwealth. As a condition of access to the Open Space, the requesting organization and the undersigned applicant agree to the following: To pay for and assume full liability for any and all loss or damages to person or property or claim thereof resulting to or arising from the use of the Open Space by such organization or individual (and those granted access to the Open Space thereby) whether from an occurrence at the Open Space itself during such use, before or after such use, going to and from such use, and/or within available parking areas. To reimburse or hold harmless the Town and the members, agents, and employees thereof from any such loss, damage or claim, including, but not limited to, it or their attorney's fees; to pay any attorney's fees and costs paid or incurred by the Town to enforce any obligation imposed under this paragraph or otherwise in the application; and to pay for cleanup if the Open Space and/or utilized equipment is/are not left in a clean and orderly fashion. In the event there is a question as to whether or not the Open Space and/or utilized equipment was left in a clean and orderly fashion, the Town Administrator shall make such determination.

Furthermore, in consideration of being permitted to use the Open Space, I/WE for myself/ourselves, my/our personal representatives, assigns, heirs, and next of kin hereby release, discharge, and covenant not to sue the Town, its respective manager, directors, agents, officers, members, volunteers, employees, other participants, sponsors, advertisers, and any owners, lessors of the premises on which I/We are permitted to use from all liability, claims, demands, losses, or damages on my/our account caused in whole or in part by the negligence of the Town or otherwise that may have arisen in the past, or may arise in the future, directly or indirectly, and I/We further agree this if, despite this release and waiver of liability, assumption of risk, and indemnity agreement I/We, or anyone on my/our behalf, makes a claim I/We will indemnify, save and hold harmless each of the

parties claimed against from any litigation expenses, attorney fees, loss, liability, damage, or cost which anyone may incur as the result of such claim.

I/We have read this agreement, fully understand its terms, understand that I/We have given up substantial rights by signing it, and have signed it freely and without any inducement or assurance of any nature and intend it to be a complete and unconditional release of all liability to the greatest extent allowable by law and agree that if any portion of the agreement is held to be invalid the balance, notwithstanding, shall continue in full force and effect.

Name of Applicant: _____ Date: _____

Organization Name: _____

Applicant's Address: _____

Applicant's Phone Number: _____

Applicant's E-Mail _____

Applicant's Signature: _____

This Affidavit MUST BE SUBMITTED, ***signed*** and postmarked or received (at least 90 days prior to the event) to the following:

Ludlow Town Hall
c/o Select Board's Office
488 Chapin Street
Ludlow, MA 01056

FAILURE TO RETURN THIS SIGNED AFFIDAVIT WITH THE COMPLETED PERMIT APPLICATION SHALL CAUSE THIS USE OF TOWN PROPERTY APPLICATION TO BE DEEMED INCOMPLETE

For Police Department Official Use Only

☐ Approval Recommended

☐ Approval Not Recommended

Police Officer Required: ☐ Yes ☐ No ☐ Other

Comments/Conditions:

Date:

Signature:

For Fire Department Official Use Only

☐ Approval Recommended

☐ Approval Not Recommended

Fire Dept. Presence Required: ☐ Yes ☐ No

Comments/Conditions:

Date:

Signature:

For Public Works Official Use Only

☐ Approval Recommended

☐ Approval Not Recommended

Comments/Conditions:

Date:

Signature:

For Recreation Department Official Use Only

☐ Approval Recommended

☐ Approval Not Recommended

Comments/Conditions:

Date:

Signature:

For Building Department Official Use Only

- ☐ Approval Recommended
☐ Approval Not Recommended

Comments/Conditions:

Date:

Signature:

For Health Department Official Use Only

- ☐ Approval Recommended
☐ Approval Not Recommended

Comments/Conditions:

☐☐

Date:

Signature:

For Select Board Official Use Only

- ☐ Approved
☐ Not Approved

Comments/Conditions:

☐☐

Date:

Signature: